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Attorneys for Plaintiff

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA
SAN JOSE DIVISION

UNITED STATES OF AMERICA,)	No. CR 11-00456 EJD
)	
Plaintiff,)	
)	STIPULATION AND [PROPOSED]
v.)	ORDER CONTINUING STATUS
)	HEARING AND EXCLUDING TIME
SANFORD WALLACE,)	UNDER THE SPEEDY TRIAL ACT
)	
Defendant.)	
)	SAN JOSE VENUE

The undersigned parties respectfully request that the status hearing currently scheduled for April 16, 2012 be continued to May 7, 2012. The reason for the continuance is that K.C. Maxwell, who represents the defendant, will be unavailable on April 16th due to a day-long hearing before the Financial Industry Regulatory Authority. Therefore, the parties request a status appearance on May 7, 2012 and request an exclusion of time under the Speedy Trial Act from April 16, 2012 through May 7, 2012. The parties agree and stipulate that an exclusion of time is appropriate based on the defendant's need for effective preparation of counsel. 18 U.S.C. § 3161(h)(7)(B)(iv). Furthermore, the parties anticipate meeting about the case prior to the next court date in order to advise the Court about the respective positions of the parties.

1 SO STIPULATED:

MELINDA HAAG
United States Attorney

2
3 DATED: 4/4/12

/s/
SUSAN KNIGHT
Assistant United States Attorney

4
5 DATED: 4/4/12

/s/
K.C. MAXWELL
Counsel for Mr. Wallace

6
7
8 **ORDER**

9 Accordingly, for good cause shown, the Court HEREBY ORDERS that the status hearing
10 scheduled for April 16, 2012 is continued to May 7, 2012.

11 The Court FURTHER ORDERS that time be excluded under the Speedy Trial Act from
12 April 16, 2012 through May 7, 2012. The Court finds, based on the aforementioned reasons,
13 that the ends of justice served by granting the requested continuance outweigh the best interest of
14 the public and the defendant in a speedy trial. The failure to grant the requested continuance
15 would deny defense counsel reasonable time necessary for effective preparation, taking into
16 account the exercise of due diligence, and would result in a miscarriage of justice. The Court
17 therefore concludes that this exclusion of time should be made under 18 U.S.C. §§ 3161(h)(7)(A)
18 and (B)(iv).

19 SO ORDERED.

20
21 DATED: April 6, 2012


EDWARD J. DAVILA
United States District Judge